

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>IN RE:</b>	<b>:</b>	<b>CHAPTER 13</b>
	<b>:</b>	
	<b>:</b>	<b>BANKRUPTCY NO. 16-12776</b>
<b>Catherine Reid,</b>	<b>:</b>	
	<b>:</b>	
<b>Debtor.</b>	<b>:</b>	
	<b>:</b>	
	<b>:</b>	

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**DEBTOR'S RESPONSE TO COLONIAL SAVINGS F.A.'s MOTION FOR RELIEF**

Catherine Reid (“Debtor”), by and through her attorney, Jennifer Schultz, Esquire, hereby responds to Colonial Savings F.A.’s motion for relief as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied. Prior to the bankruptcy, debtor was current on her payments. She has resolved a pre-petition default though a pre-petition loan modification in January 2016. There was no pre-petition default, and Movant had no legal basis to initiate foreclosure proceedings.
6. Denied. Debtor made several payments to Movant in the months of October 2016 through January 2017.
7. Debtor disputes the legal fees and costs demanded by Movant on the basis that they are inconsistent with the FHA attorney fee schedule. These fees are also challenged as inconsistent with Pennsylvania Act 6.
8. For the reasons stated above, Debtor denies the amounts requested by Movant.
9. Denied.
10. Denied

11. Debtor has experienced reduced employment income as a home healthcare aid because her patient has been hospitalized several times in the previous months.

12. Debtor is working to locate funds to cure any missed payments. She is investigating local rescue funds, as well as preparing her 2016 federal income tax filings.

WHEREFORE, Debtor respectfully requests that this Honorable Court enter an Order denying Colonial Savings F.A. motion for relief.

February 1, 2017  
Date

/s/ Jennifer Schultz  
Jennifer Schultz, Esquire  
Attorney for Debtor  
Community Legal Services  
1410 W. Erie Ave.  
Philadelphia, PA 19140

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**Catherine Reid,** :  
: **Debtor.** :  
: \_\_\_\_\_ :  
: \_\_\_\_\_ :

**ORDER**

NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2017, upon consideration of Motion of Colonial Savings F.A. For Relief from the Automatic Stay Under Section 362 and Debtor's response thereto, it is hereby ORDERED and DECREED that the motion is DENIED

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Ashely M. Chan  
United States Bankruptcy Judge

Parties to be served:

William C. Miller, Esquire  
Chapter 13 Standing Trustee  
PO Box 40119  
Philadelphia, PA 19106-0119

Jennifer Schultz, Esquire  
Community Legal Services  
1410 W. Erie Avenue  
Philadelphia, PA 19140

Brian C. Nicholas, Esquire  
KML Law Group, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106

Catherine Reid  
5732 N. Fairhill Street  
Philadelphia, PA 19120

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	<b>:</b>	<b>BANKRUPTCY NO. 16-12776</b>
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<b>Debtor.</b>	<b>:</b>	
	<b>:</b>	
	<b>:</b>	

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**CERTIFICATE OF SERVICE**

I, Jennifer Schultz, Esquire, certify that a copy of Debtor's Response to Colonial Savings F.A.'s Motion for Relief, proposed order, and this Certificate of Service were served by electronic means upon the following on February 1, 2017:

William C. Miller, Esquire  
Chapter 13 Standing Trustee  
PO Box 40119  
Philadelphia, PA 19106-0119

Brian C. Nicholas, Esquire  
KML Law Group, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106

/s/ Jennifer Schultz  
Jennifer Schultz, Esquire  
Attorney for Debtor  
Community Legal Services  
1410 W. Erie Ave.  
Philadelphia, PA 19140